



Dkt. 50875-F-PCT-US/JPW/FHB

RECEIPT  
#15

THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

**AUG 27 2002**

**TECH CENTER 1600/2900**

Applicants : Graham P. Allaway, et al.  
U.S. Serial No.: 09/460,216  
Filed : December 13, 1999  
For : METHOD FOR PREVENTING HIV-1 INFECTION  
OF CD4 CELLS

1185 Avenue of the Americas  
New York, New York 10036  
November 14, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**COMMUNICATION REQUESTING CORRECTED FILING RECEIPT**

This Communication is filed to request the issuance of a corrected Filing Receipt in connection with the above-identified application. Upon receipt of the official Filing Receipt for the subject application, applicants' undersigned attorney noticed an error. Specifically, the continuing data is incorrectly listed as:

--THIS APPLN CLAIMS BENEFIT OF 60/019,715 06/14/1998  
AND CLAIMS BENEFIT OF 60/014,532 04/02/1996--

A corrected Filing Receipt should read as follows:

--THIS APPLN IS A CON OF PCT/US98/12331 06/12/1998  
WHICH IS A CIP OF 08/876,078 06/13/1997  
AND CLAIMS BENEFIT OF 60/019,715 06/14/1998  
AND CLAIMS BENEFIT OF 60/014,532 04/02/1996--

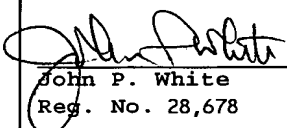
Graham P. Allaway, et al.  
U.S. Serial No. 09/460,216  
Filed: December 13, 1999  
Page 2.

A copy of the original filing receipt with the changes noted thereon is attached hereto as **Exhibit A**. The correct continuing data may be found in the Application for United States Letters Patent filed December 13, 1999 and in the Preliminary Amendment filed with the subject application on December 13, 1999. Copies of the first page of the Application for United States Letters Patent and the Preliminary Amendment are attached hereto as **Exhibit B** and **Exhibit C**, respectively. Accordingly, applicants request that a corrected Filing Receipt be issued.

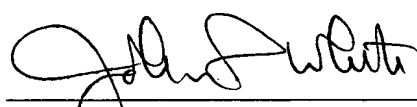
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

  
John P. White  
Reg. No. 28,678

11/14/05  
Date

  
John P. White  
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JPW



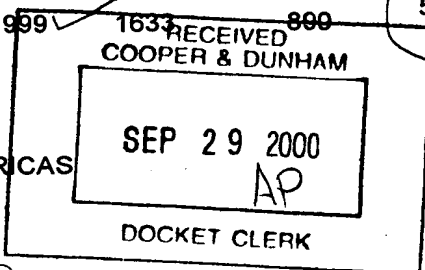
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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09/460,216 12/13/1999 1633 899 50875-F- 10 4 1  
PCT-US

COOPER & DUNHAM LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036



## FILING RECEIPT



\*OC000000005422224\*

Date Mailed: 09/25/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

GRAHAM P. ALLAWAY, DARNESTOWN, MD ;  
VIRGINIA M. LITWIN, WEST AMWELL, NJ ;  
PAUL J. MADDON, SCARSDALE, NY ;  
WILLIAM C. OLSON, OSSINING, NY ;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/019,715 06/14/1996  
AND CLAIMS BENEFIT OF 60/014,532 04/02/1996

IS A CON OF PCT/US98/12331  
06/12/1998

WHICH IS A CIP OF 08/876,078  
06/13/1997

AND

## Foreign Applications

If Required, Foreign Filing License Granted 02/18/2000

## Title

METHOD FOR PREVENTING HIV-1 INFECTION OF CD4+ CELLS

## Preliminary Class

435

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9/22/00

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TECH CENTER 1600/2900

Data entry by : BURNS, DORIS

Team : OIPE

Dat : 09/25/2000



METHOD FOR PREVENTING HIV-1 INFECTION OF CD4<sup>+</sup> CELLS

This application is a continuation-in-part application of U.S. Serial No. 08/876,078, filed June 13, 1997, the contents of which is hereby incorporated by reference.

5 Throughout this application, various references are referred to within parentheses. Disclosures of these publications in their entireties are hereby incorporated by reference into this application to more fully describe the state of the art to which this invention pertains. Full bibliographic  
10 citation for these references may be found at the end of each series of experiments.

Background of the Invention

15 Chemokines are a family of related soluble proteins of molecular weight between 8 and 10KDa, secreted by lymphocytes and other cells, which bind receptors on target cell surfaces resulting in the activation and mobilization of leukocytes, for example in the inflammatory process. Recently, Cocchi et al. demonstrated that the chemokines  
20 RANTES, MIP-1 $\alpha$  and MIP-1 $\beta$  are factors produced by CD8<sup>+</sup> T lymphocytes which inhibit infection by macrophage-tropic primary isolates of HIV-1, but not infection by laboratory-adapted strains of the virus (1). These chemokines are members of the C-C group of chemokines, so  
25 named because they have adjacent cysteine residues, unlike the C-X-C group which has a single amino acid separating these residues (2). While Cocchi et al. found that expression of HIV-1 RNA was suppressed by treatment with the chemokines, they did not identify the site of action of  
30 these molecules.

A resonance energy transfer (RET) assay of HIV-1 envelope glycoprotein-mediated membrane fusion was used to determine whether fusion mediated by the envelope glycoprotein from  
35 the primary macrophage-tropic isolate of HIV-1<sub>JR-FL</sub> would be specifically inhibited by chemokines, when compared with fusion mediated by the envelope glycoprotein from the

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway, et al.  
Serial No.: Not Yet Known (Continuation application of  
PCT/US98/12331, filed June 12,  
1998)  
Filed : December 13, 1999  
For : METHOD FOR PREVENTING HIV-1 INFECTION OF CD4+  
CELLS

1185 Avenue of the Americas  
New York, New York 10036  
December 13, 1999

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

PRELIMINARY AMENDMENT

Please amend the subject application as follows:

In the specification:

On page 1, line 1, after the words "This application is a" and before the words "continuation-in-part" please insert the following:

--continuation application of PCT International Application No. PCT/US98/12331, filed June 12, 1998, which is a--.

In the claims:

Please cancel claims 1-60 without prejudice to applicants' right to pursue the subject matter of these claims in a later-filed application. Please add new claims 61-64 as follows.

--61. (New) A method of inhibiting HIV-1 infection of CD4+ cells which comprises contacting CD4+ cells with a non-chemokine peptidyl agent capable of binding to a chemokine receptor in an amount and under conditions such that fusion of HIV-1 or an HIV-1 infected cell to the CD4+ cells is inhibited, so as to thereby inhibit

Applicants : Graham P. Allaway  
Serial No. : Not Yet Known  
Filed : December 13, 1999  
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HIV-1 infection of the CD4+ cells, provided that the nonchemokine peptidyl agent is not a bicyclam or a derivative thereof.--

--62. (New) The method of claim 61, wherein the non-chemokine peptidyl agent is an oligopeptide.--

--63. (New) The method of claim 61, wherein the non-chemokine peptidyl agent is a polypeptide.--

--64. (New) The method of claim 63, wherein the non-chemokine peptidyl agent is an antibody or portion of an antibody.--

**Remarks:**

Claims 1-60 were pending in the subject application. Applicants have hereinabove canceled claims 1-60 without prejudice to their right to pursue the subject matter of these claims in a later-filed application and added new claims 61-64 as follows. Support for these amendments may be found inter alia in the specification as follows: claim 61: page 13, lines 1-6, page 14, lines 6-10 and 21-22; claim 62: page 14, lines 13-14; claim 63, lines 14-15; claim 64, lines 15-17. Accordingly, claims 61-64 involve no issue of new matter and entry of this amendment is respectfully requested.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants : Graham P. Allaway  
Serial No. : Not Yet Known  
Filed : December 13, 1999  
Page 3

No fee, in addition to the enclosed filing fee of \$380.00, is deemed necessary in connection with the filing of this Preliminary Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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